



Statement of Representative Tom Davis
FEMA in the Form that Works
Homeland Security Committee mark up of H.R. 5351
May 17, 2006

Mr. Chairman, our work on the Select Bipartisan Committee on Katrina led us to the conclusion the nation's preparation and response capabilities had to be empowered, agile and independent. This proposal to replace the Federal Emergency Management Agency (FEMA) with an even larger bureaucracy inside the Department of Homeland Security would compound, not solve, the problems laid bare by Hurricane Katrina.

Establishing the Directorate of Emergency Management and an Undersecretary for Emergency Management (HR5351) would institutionalize the problems seen in the Katrina response. Founded on the principal that all federal capabilities to anticipate, prepare for, and respond to major civil emergencies should be supervised by one official responsible directly to the President, FEMA worked well when properly staffed, capably led and adequately resourced. Fidelity to that principle should be our priority going forward, not protection of committee jurisdictional turf. Crammed into a diverse, sprawling and still conflicted mission portfolio at DHS, the nation's emergency response tools fell out of favor as other priorities drew funding and leadership focus. Hoped-for synergies and efficiencies between DHS and FEMA proved one-sided, as the agency was steadily bled to death by its many new siblings in a parent organization focused on terrorism. That could still happen, albeit more subtly, under this proposal.

The FEMA Director needs direct access to the President so other departments have no doubt who is driving the federal response. No clumsy attempt to straddle the fundamental structural flaw will work. Expecting the Emergency Response Directorate to somehow detach and become more independent during an emergency would only add uncertainty and complexity to an already difficult and intense moment. The Coast Guard analogy is inapt. A cohesive military unit with a discreet mission from the start, the autonomous identity and role of the Coast Guard was never in doubt. The FEMA mission – preparedness, response, recovery and mitigation – were dispersed and diluted throughout the DHS bureaucracy. The attempt in HR 5351 to fence off FEMA from the Secretary's transfer and reprogramming authorities argues strongly that the agency needs to be independent to thrive. If you're going to put up a fence, why not admit the separation is permanent and build a wall that can't be breached?

Mr. Chairman, many emergency management professionals warned it was a mistake to put FEMA into DHS. Now we're finding the qualified people needed to run the agency won't come to work in a failed construct. I'm afraid they'd feel the same about this proposed structure. National "all hazard" preparation and response capabilities constitute a discreet and perishable asset that has to stand alone to thrive. Like a home fire extinguisher, it's something too easy to forget about... until you need it. Then, when the alarm sounds, you don't want to have to rummage through the back of the linen closet only to find the device is empty from misuse or neglect.